

abolished and superseded by that of 1851; and it contained a direct provision that that Constitution should not be amended, altered or changed, except in the manner therein prescribed. Now was it so altered, changed or amended? Is it not notorious to everybody within the limits of this State that it was not so amended and changed?

Mr. BERRY, of Prince George's. Will the gentleman point to that portion of the old Constitution which reads as he says?

Mr. SANDS. I read the 59th article.

Mr. BERRY, of Prince George's. Does that prohibit the people of Maryland from calling a Convention?

Mr. SANDS. I will read it again:

"That this form of government, and the Declaration of Rights, and no part thereof, shall be altered, changed or abolished, *unless* a bill so to alter, change or abolish the same, shall pass the General Assembly and be published at least three months before a new election, and shall be confirmed by the General Assembly after a new election of delegates, in the first session after such new election."

That is the 59th article of the old Constitution. I think, therefore, that the argument of the gentleman from Prince George's (Mr. Berry)—I do not know whether it was intended to be in that direction, but it certainly had that bearing, and leaning, and tendency. And if it was not meant to be that way, but was meant to be perfectly straight up, it was so very straight that it leaned over the other way. His idea seemed to be this: that the Convention of 1850 was called nearer in accordance with the terms of the pre-existing Constitution, than this Convention was. Now I say that this Convention was not only called nearer to, but in exact conformity with, the Constitution of 1851.

I say then, Mr. President, we are here, first, entitled to be fairly considered, by the vote cast, the sole and only representatives of the State of Maryland at this time, her lawful representatives in this sovereign Convention. And I do aver that if I held any other doctrine but this, if I did not believe this body was lawfully constituted and entitled here to act, the place that now knows me would know me no longer. I would be a part of no body that I considered revolutionary.

Having, to my satisfaction at least, fixed two points, that we are here rightfully both as to the vote that sent us here and the law under which we are called here, I want to consider briefly our proper action in view of the matter now before the House. Gentlemen have spoken of the right of revolution; and they have spoken of it in a manner that would seem to me to indicate that revolutions are made of rosewater. They are not, sir, they are made of terrible civil strife. They are mixed with blood and tears. No right of revolution belongs to the people of any State until the wrongs they are suffering

from oppression are such as not to be borne. The idea that the people have a right to revolutionize without some cause for it! My —! I will not take that name: but where is the conservative who allows the right of revolution except when revolution is absolutely necessary?

Insurrection has two forms—revolution, when it is put forward against tyranny, and rebellion, when it is put forward against a fair and lawful and beneficent Government. It has two phases. In one form it is the angel come to strike off bonds, fetters and gyves. In the other, it is the devil dragging down to the pit where unhappily we are today. I acknowledge the right of such revolution as our fathers made. That was a revolution of the people against tyranny. But there have been subsequent revolutions, which I execrate because they have been revolutions of ambitious men against the people.

Mr. JONES, of Somerset. Will the gentleman from Howard allow me to ask him, in his admission of the right of revolution existing where oppression and tyranny is too grievous to be borne, who are the persons to judge of that tyranny and oppression?

Mr. SANDS. When our fathers revolted and declared their independence, they said: A decent respect for the opinions of mankind compel us to declare the grounds upon which we take up arms.

Mr. JONES. Then they judged of the necessity.

Mr. SANDS. And the christian world endorsed their judgment. Let other people, who are in these circumstances go and get the same endorsement.

I say, sir: that this doctrine of the right of revolution in form unrestricted, is the most accursed in the pages of history. It is that right which Satan usurped to himself in Paradise; and it has been followed under almost analogous circumstances.

I am afraid that in talking about radicalism and conservatism we are getting into the habit of making them convertible for the terms fiction and the people. Let the people speak out as they have done, in thunder tones from the Allegany to the Atlantic; as they did when you, sir, received their almost unanimous support, and that is "radicalism," a radicalism which had been scouted, scorned and hooted. I do not feel ashamed of endorsing that kind of radicalism. I am a radical of that kind; I say it now, and I shall never take it back.

There is a kind of conservatism which is forever attempting to hamper and restrict the people in the exercise of their just and unalienable rights. That is not the kind of conservatism I like. For a definition of that kind of conservatism that exactly suits my views, I refer gentlemen to the pages of the New Gospel of Peace, written by Benjamin the Scribe, brother to Fernando Wood.